

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

United States of America

v.

Phillip Phosy

Date of Original Judgment: 7/17/12

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: 3:09-00049-11USM No: 61534-019R. David Baker

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 80 months is reduced to 66 months.

Pursuant to U.S.S.G. § 1B1.10(b)(2)(C), if the amount of time the defendant has already served as of the effective date of this order exceeds the reduced term of imprisonment set forth above, the defendant's sentence shall be reduced to "Time Served," as of the effective date of this order.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 07/17/2012 shall remain in effect.

IT IS SO ORDERED.

Order Date: 11-16-15


Judge's signature

Effective Date: 11/01/2015
(if different from order date)

William J. Haynes, Jr., U.S. District Judge
Printed name and title